

01/22/02 12:36 FAX

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CITIZENS FOR CONSUMER JUSTICE,
COLORADO PROGRESSIVE COALITION,
CONGRESS OF CALIFORNIA SENIORS,
FLORIDA ALLIANCE FOR RETIRED
AMERICANS, HEALTH CARE FOR ALL, INC.
MASSACHUSETTS SENIOR ACTION
COUNCIL, MASSPIRG, MINNESOTA SENIOR
FEDERATION, NEW JERSEY CITIZEN
ACTION, NEW YORK STATE WIDE SENIOR
ACTION COUNCIL, PENNSYLVANIA
ALLIANCE FOR RETIRED AMERICANS,
VERMONT PUBLIC INTEREST RESEARCH
GROUP, WEST VIRGINIA CITIZEN ACTION,
and WISCONSIN CITIZEN ACTION,

Plaintiffs,

v.

ABBOTT LABORATORIES, INC., ALLERGAN
WORLDWIDE, ALPHA THERAPEUTIC
CORP., AMERICAN BIOSCIENCE, INC.,
AMERICAN HOME PRODUCTS, AMGEN
INC., ASTRAZENECA US, AVENTIS
PHARMA, BAYER AG, BAXTER
INTERNATIONAL, INC., BRISTOL-MYERS
SQUIBB CO., CHIRON, FUGISAWA
HEALTHCARE, INC., GLAXOSMITHKLINE,
PLC, GENSLA SICOR PHARMACEUTICALS,
INC., GLAXO WELLCOME, INC., GLAXO
WELLCOME, PLC, IMMUNEX CORP., ICN
PHARMACEUTICALS, INC., HOESCHT
MARION ROUSSEL, INC., ELI LILLY AND
COMPANY, ONCOLOGY THERAPEUTICS
NETWORK, CORP., PHARMACIA CORP.,
SCHERING-PLOUGH, CORP., SICOR, INC.,
SMITHKLINE BEECHAM CORPORATION,
TAKEDA CHEMICAL INDUSTRIES LTD., TAP
PHARMACEUTICAL PRODUCTS, INC., AND
JOHN DOES 1 - 200,

Defendants.

Case No.
01-12257PBS

FILED
IN CLERKS OFFICE
2002 JAN 25 A 11:41
U.S. DISTRICT COURT
DISTRICT OF MASS.

JOINT STIPULATION TO EXTEND TIME

1-28-02 SALS, D.J.: STIPULATION APPROVED.
EXTENSION GRANTED TO MARCH 21, 2002.
BY THE COURT, *Ed C. Allen*, DEPUTY CLERK

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Plaintiffs *Citizens for Consumer Justice, Colorado Progressive Coalition, Congress of California Seniors, Florida Alliance For Retired Americans, Health Care for All, Inc. Massachusetts Senior Action Council, Masspirg, Minnesota Senior Federation, New Jersey Citizen Action, New York State Wide Senior Action Council, Pennsylvania Alliance for Retired Americans, Vermont Public Interest Research Group, West Virginia Citizen Action, and Wisconsin Citizen Action* (collectively, "Plaintiffs") and Defendant *Eli Lilly and Company* ("*Eli Lilly*") hereby stipulate and agree as follows:

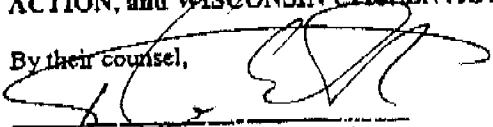
- (1) On December 19, 2001, Plaintiffs filed their Class Action Complaint;
- (2) Plaintiffs effected service of the Class Action Complaint and Summons upon Eli Lilly on or about January 7, 2002;
- (3) Plaintiffs have represented that they will file an Amended Class Action Complaint on or before January 22, 2002;
- (4) Eli Lilly, therefore, need not respond to the currently-filed Class Action Complaint;
- (5) Eli Lilly shall have until March 21, 2002, to file responsive pleadings or motions to Plaintiffs' Amended Class Action Complaint, if the same is filed on or before January 22, 2002;
- (6) In the event that Plaintiffs file an Amended Class Action Complaint after January 22, 2002, Eli Lilly shall have until the later of March 21, 2002, or 45 days after filing of the Amended Complaint to file responsive pleadings or motions to Plaintiffs' Amended Class Action Complaint; and

(7) This stipulation, submitted through counsel for the parties, shall not serve as a waiver of any defense or response to any matter now, or hereafter to be, asserted by Plaintiffs, with the exceptions of insufficiency of process (Fed. R. Civ. P. 12(b)(4)) and insufficiency of service of process (Fed. R. Civ. P. 12(b)(5)).

Respectfully submitted,

CITIZENS FOR CONSUMER JUSTICE,
COLORADO PROGRESSIVE COALITION,
CONGRESS OF CALIFORNIA SENIORS,
FLORIDA ALLIANCE FOR RETIRED AMERICANS,
HEALTH CARE FOR ALL, INC.,
MASSACHUSETTS SENIOR ACTION COUNCIL,
MASSPIRG, MINNESOTA SENIOR FEDERATION,
NEW JERSEY CITIZEN ACTION, NEW YORK
STATE WIDE SENIOR ACTION COUNCIL,
PENNSYLVANIA ALLIANCE FOR RETIRED
AMERICANS, VERMONT PUBLIC INTEREST
RESEARCH GROUP, WEST VIRGINIA CITIZEN
ACTION, and WISCONSIN CITIZEN ACTION

By their counsel,


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By its counsel,

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(7) This stipulation, submitted through counsel for the parties, shall not serve as a waiver of any defense or response to any matter now, or hereafter to be, asserted by Plaintiffs, with the exceptions of insufficiency of process (Fed. R. Civ. P. 12(b)(4)) and insufficiency of service of process (Fed. R. Civ. P. 12(b)(5)).

Respectfully submitted,

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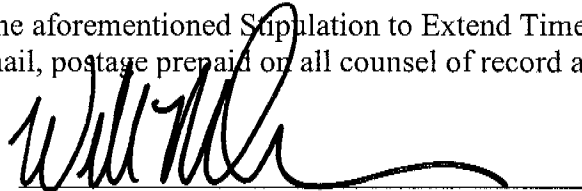
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DATED: January 25, 2002

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the aforementioned Stipulation to Extend Time was served on January 25, 2002 via first class mail, postage prepaid on all counsel of record as of the same date.



William M. Cowan